

ORDINANCE No. 111480COUNCIL BILL No. 104002

AN ORDINANCE vacating a portion of South Stacy Street on the petition of The Port of Seattle (C.F. 291274); and abandoning the sanitary sewer in said vacated portion of South Stacy Street; and authorizing the transfer thereof to The Port of Seattle.

12-14-83 PASS (20)

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: <b>NOV 7 1983</b>	By: <b>EXECUTIVE REQUEST</b>
Referred: <b>NOV 7 1983</b>	To: <b>TRANS</b>
Referred:	To:
Referred:	To:
Reported: <b>DEC 1 9 1983</b>	Second Reading: <b>DEC 1 9 1983</b>
Third Reading: <b>DEC 1 9 1983</b>	Signed: <b>DEC 1 9 1983</b>
Presented to Mayor: <b>DEC 2 9 1983</b>	Approved:
Returned to City Clerk:	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Law Department

The City of Seattle--Legi

REPORT OF COM

Honorable President:

Your Committee on

**TRANSPORTATION**to which was referred the within Council Bill No. **104**  
report that we have considered the same and respectfully

do pass

Committee

(UNIVERSAL 3-21943)

*Law Department*

## The City of Seattle--Legislative Department

Date Reported  
and Adopted

### REPORT OF COMMITTEE

Honorable President:

Your Committee on TRANSPORTATION

to which was referred the within Council Bill No. 104002  
report that we have considered the same and respectfully recommend that the same:

*do pass*

*[Signature]*  
Committee Chair

111480

<input checked="" type="checkbox"/> LIGHT	HEALTH
<input checked="" type="checkbox"/> ENG	PARKS
<input type="checkbox"/> DCLU	L & CA
<input type="checkbox"/> DCD	
<input checked="" type="checkbox"/> LAW	

ORDINANCE 111480

AN ORDINANCE vacating a portion of South Stacy Street on the petition of The Port of Seattle (C.P. 291274); and abandoning the sanitary sewer in said vacated portion of South Stacy Street; and authorizing the transfer thereof to The Port of Seattle.

WHEREAS, there has been filed with the City Council the petition of The Port of Seattle (Comptroller's File No. 291274) for the vacation of South Stacy Street, as therein fully described; and

WHEREAS, at a public hearing on said vacation on the 13th day of July, 1983, said petition was granted by the City Council; and

WHEREAS, approval of the vacation was made conditional upon the acceptance by the petitioner of the 8-inch sanitary sewer line; and

WHEREAS, by letter dated July 14, 1983, The Port of Seattle agreed to accept ownership and control of the sewer line; and

WHEREAS, upon final approval of the vacation by the City Council, the sanitary sewer line described below will not be used or useful for sewerage utility or any other City purpose; and the Director of Engineering has recommended that the same be abandoned and transferred to The Port of Seattle;

WHEREAS, the petition was filed on February 4, 1982, and pursuant to S.M.C. 15.62 the payment of a vacation fee by municipal corporations (The Port of Seattle) is not required; no appraisal was made and no fee was paid. NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

SOUTH STACY STREET from the west line of East Marginal Way South to the east line of the East Waterway of the Duwamish Waterway;

be and the same is hereby vacated.

RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above said property after said vacation; and further,

Section 2. That the 8-inch sanitary sewer line located within that vacated portion of South Stacy Street from the west line of East Marginal Way South to the east line of the East Waterway of the Duwamish Waterway and the 11 foot portion that extends to the manhole located in East Marginal Way South, together with all appurtenances thereto, is hereby abandoned; and, to release the City's interest in the 8-inch sanitary sewer

(To be used for all Ordinances except Emergency.)

line and appurtenances, the Mayor and the City Comptroller are hereby authorized and directed for and on behalf of the City of Seattle to execute and deliver to The Port of Seattle a Bill of Sale to 8-inch sanitary sewer line and appurtenances substantially in the form of Exhibit "A" attached hereto as recommended by the Director of Engineering.

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19<sup>th</sup> day of December, 1933,  
and signed by me in open session in authentication of its passage this 19<sup>th</sup> day of  
December, 1933.

President of the City Council.

Approved by me this 23<sup>rd</sup> day of December, 1933.

Mayor.

Filed by me this 23<sup>rd</sup> day of December, 1933.

Attest:  
City Comptroller and City Clerk.

(SEAL)

Published

By Theresa Dunbar  
Deputy Clerk.

10/11/83  
CF 291274

BILL OF SALE

This Bill of Sale, made on the \_\_\_\_\_ day of \_\_\_\_\_, 198\_, by and between The City of Seattle, acting through its Mayor and City Comptroller as Grantor and The Port of Seattle as Grantee,

WITNESSETH:

That the Grantor, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, does hereby sell, assign, transfer, set over and deliver to the Grantee the following described personal property:

The 8-inch sewer line and appurtenances located within that vacated portion of South Stacy Street from the west line of East Marginal Way South to the east line of the East Waterway of the Duwamish Waterway; and the 11+ feet of 8-inch sewer line that continues from the west line of East Marginal Way South to a manhole located in East Marginal Way South;

to have and to hold unto the Grantee and unto its executors, administrators, officers, successors and assigns forever. The Grantor covenants that the sewer line and appurtenances are surplus to the needs of The City of Seattle public sewerage system and has been abandoned as a public sewer by Ordinance \_\_\_\_\_ and that The City of Seattle has the lawful right to sell and dispose of the same.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 198\_.

THE CITY OF SEATTLE

By \_\_\_\_\_  
Mayor

By \_\_\_\_\_  
City Comptroller

EXHIBIT "A"

RJA:LAK:mj  
10-11-83

RECORDED THIS DAY

JAN 10 2 30 PM '84

84/01/10  
RECD F 5.00  
CASHSL 22  
DIVISION OF  
COUNTY NO 724 B  
5.00

ORDINANCE 111480

AN ORDINANCE vacating a portion of South Stacy Street on the petition of The Port of Seattle (C.F. 291274); and abandoning the sanitary sewer in said vacated portion of South Stacy Street; and authorizing the transfer thereof to The Port of Seattle.

WHEREAS, there has been filed with the City Council the petition of The Port of Seattle (Comptroller's File No. 291274) for the vacation of South Stacy Street, as therein fully described; and

WHEREAS, at a public hearing on said vacation on the 13th day of July, 1983, said petition was granted by the City Council; and

WHEREAS, approval of the vacation was made conditional upon the acceptance by the petitioner of the 8-inch sanitary sewer line; and

WHEREAS, by letter dated July 14, 1983, The Port of Seattle agreed to accept ownership and control of the sewer line; and

WHEREAS, upon final approval of the vacation by the City Council, the sanitary sewer line described below will not be used or useful for sewerage utility or any other City purpose; and the Director of Engineering has recommended that the same be abandoned and transferred to The Port of Seattle;

WHEREAS, the petition was filed on February 4, 1982, and pursuant to S.M.C. 15.62 the payment of a vacation fee by municipal corporations (The Port of Seattle) is not required; no appraisal was made and no fee was paid. NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

SOUTH STACY STREET from the west line of East Marginal Way South to the east line of the East Waterway of the Duwamish Waterway;

be and the same is hereby vacated.

RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above said property after said vacation; and further,

Section 2. That the 8-inch sanitary sewer line located within that vacated portion of South Stacy Street from the west line of East Marginal Way South to the east line of the East Waterway of the Duwamish Waterway and the 11 foot portion that extends to the manhole located in East Marginal Way South, together with all appurtenances thereto, is hereby abandoned; and, to release the City's interest in the 8-inch sanitary sewer

(To be used for all Ordinances except Emergency.)

line and appurtenances, the Mayor and the City Comptroller are hereby authorized and directed for and on behalf of the City of Seattle to execute and deliver to The Port of Seattle a Bill of Sale to 8-inch sanitary sewer line and appurtenances substantially in the form of Exhibit "A" attached hereto as recommended by the Director of Engineering.

8401100724

8401100724

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19<sup>th</sup> day of December, 1923,  
and signed by me in open session in authentication of its passage this 19<sup>th</sup> day of  
December, 1923.

Approved by me this 23<sup>rd</sup> day of December, 1923.  
President of the City Council.

Filed by me this 23<sup>rd</sup> day of December, 1923.

Attest: *Jim Hill*  
City Comptroller and City Clerk.

(SEAL)

Published \_\_\_\_\_

By *Thomas Dunbar*  
Deputy Clerk.

FILED for Record at Request of  
Return To:

TIM HILL, CITY COMPTROLLER  
101 SEATTLE MUNICIPAL BUILDING  
SEATTLE, WA 98104

STATE OF WASHINGTON )  
COUNTY OF KING ) SS  
CITY OF SEATTLE )

I, TIM HILL, Comptroller and City Clerk of the City of Seattle, do hereby  
certify that the within and foregoing is a true and correct copy of the  
original instrument as the same appears on file, and of record in this  
department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the  
seal of The City of Seattle, this 29th day of December, 1983.

TIM HILL  
Comptroller and City Clerk

By:

Theresa Dunbar  
Deputy Clerk



8401100724

Seattle  
Engineering Department

Eugene V. Avery, Director of Engineering  
Charles Royer, Mayor

REC'D OMB OCT 18 1983



524699

October 13, 1983

Honorable Charles Royer  
Mayor of The City of Seattle  
1200 Municipal Building  
Seattle, Washington

Attention: Office of Management & Budget

RE: Vacation of a Portion of  
South Stacy Street  
C. F. No. 291274

Dear Sir:

We are transmitting for City Council approval a Council Bill vacating a portion of South Stacy Street from the west line of East Marginal Way South to the east line of the East Waterway of the Duwamish Waterway. The vacation was approved by the City Council at a public hearing commencing on July 13, 1983.

Council Bill also provides for the abandonment of the sanitary sewer in said property.

Sincerely,

*Eugene V. Avery*  
EUGENE V. AVERY, P.E.  
Director of Engineering

LAK:mj

Attachments

## City of Seattle

Executive Department-Office of Management and Budget

Gary Zarker, Director  
Charles Royer, Mayor

October 19, 1983

COPY OF WITHIN RECEIVED

OCT 20 1983

The Honorable Douglas Jewett  
City Attorney  
City of Seattle

Douglas N. Jewett  
CITY ATTORNEY

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Engineering

SUBJECT: An ordinance vacating a portion of South Stacy Street on the petition of The Port of Seattle (C.F. 291274); and abandoning the sanitary sewer in said vacated portion of South Stacy Street; and authorizing the transfer thereof to The Port of Seattle.

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- ( ) Do not file with City Council but return the proposed legislation to OMB for our review. Return to \_\_\_\_\_.

Sincerely,

Charles Royer  
Mayor

By

*Colleen Avery for*  
GARY ZARKER  
Budget Director

GZ/ce/ea

Enclosure

cc: Eugene Avery, Director, SED



ORDINANCE 111480

AN ORDINANCE vacating a portion of South Stacy Street on the petition of The Port of Seattle (C.P. 291274); and abandoning the sanitary sewer in said vacated portion of South Stacy Street; and authorizing the transfer thereof to The Port of Seattle.

WHEREAS, there has been filed with the City Council the petition of The Port of Seattle (Comptroller's File No. 291274) for the vacation of South Stacy Street, as therein fully described; and

WHEREAS, at a public hearing on said vacation on the 13th day of July, 1983, said petition was granted by the City Council; and

WHEREAS, approval of the vacation was made conditional upon the acceptance by the petitioner of the 8-inch sanitary sewer line; and

WHEREAS, by letter dated July 14, 1983, The Port of Seattle agreed to accept ownership and control of the sewer line; and

WHEREAS, upon final approval of the vacation by the City Council, the sanitary sewer line described below will not be used or useful for sewerage utility or any other City purpose; and the Director of Engineering has recommended that the same be abandoned and transferred to The Port of Seattle;

WHEREAS, the petition was filed on February 1, 1983, and pursuant to S.M.C. 15.02 the payment of a vacation fee by municipal corporations (The Port of Seattle) is not required; no appraisal was made and no fee was paid; NOW, THEREFORE

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

SOUTH STACY STREET from the west line of East Marginal Way South to the east line of the East Waterway of the Duwamish Waterway; and the same is hereby vacated.

RESERVING to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above said property after said vacation; and further,

Section 2. That the 8-inch sanitary sewer line located within that vacated portion of South Stacy Street from the west line of East Marginal Way South to the east line of the East Waterway of the Duwamish Waterway and the 11 foot portion that extends to the sidewalk located in East Marginal Way South, together with all appurtenances thereto, is hereby abandoned and to release the City's interest in the 8-inch sanitary sewer line and appurtenances, the Mayor and the City Controller are hereby authorized and directed for and on behalf of the City of Seattle to execute and deliver to The Port of Seattle a Bill of Sale to 8-inch sanitary sewer line and appurtenances substantially in the form of Exhibit "A" attached hereto as recommended by the Director of Engineering.

Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect as the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19<sup>th</sup> day of December, 1983, and signed by me in open session in authentication of its passage this 19<sup>th</sup> day of December, 1983.

President of the City Council,  
Approved by me this 23<sup>rd</sup> day of December, 1983.

Filed by me this 23<sup>rd</sup> day of December, 1983.

Attest:  
City Controller and City Clerk.

(SEAL)  
Deputy Clerk.

Publication ordered by TIM HILL, Comptroller and City Clerk.  
Date of official publication in Daily Journal of Commerce, Seattle, December 29, 1983.  
(C-484)

C-484

### Affidavit of Publication

STATE OF WASHINGTON  
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 111480

was published on December 29, 1983

*B. Blair*  
Subscribed and sworn to before me on

December 29, 1983

*Richard C. Hansen*  
Notary Public for the State of Washington,  
Residing in Seattle.